

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
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GULINO, ET AL.,

USDS SDNY
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Plaintiffs,

96-CV-8414 (KMW)  
ORDER

-against-

THE BOARD OF EDUCATION OF THE  
CITY SCHOOL DISTRICT OF THE CITY  
OF NEW YORK,

Defendant.

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WOOD, U.S.D.J.:

On October 27, 2014, the Court asked the State Education Department (“SED”) to provide the Court with exemplary copies of some of the examinations the SED uses in making its teacher licensing determinations. On November 13, 2014, the SED submitted a letter to the Court requesting clarification as to which exams the Court wished the SED to provide. The SED attached to this letter eight test forms as a means of partially complying with the Court’s request. The SED also sent copies of this letter, along with the accompanying test forms, to counsel for both Plaintiffs and Defendant.

On December 12, 2014, the SED informed the Court that it had not intended to provide those test forms to counsel for Plaintiffs and Defendants. Although the SED asked both parties to return those test forms, according to the SED, Plaintiffs have refused to do so.

Because the SED submitted these test forms at the Court’s direction and not in response to a discovery request, and because the tests were sent to Plaintiffs’ counsel by mistake, Plaintiffs shall, by December 23, 2014, return all copies of the aforementioned test forms still in

Plaintiffs' possession. If Plaintiffs made any copies of these test forms, Plaintiffs shall destroy those copies by December 23, 2014.

SO ORDERED.

DATED: New York, New York  
December 17, 2014

kimba m. wood

KIMBA M. WOOD  
United States District Judge